

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**VOLVO FINANCIAL SERVICES, a
division of VFS US LLC;**

Plaintiff,

vs.

**CENTUR INC. EXP., and CEZAR
ROBERTS,**

Defaulted Defendants.

8:23CV67

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket and pursuant to NECivR. 41.2, which provides, “At any time, after appropriate notice, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on February 21, 2023. ([Filing No. 1](#)). The defendants were served on or about March 31, 2023 (Filing Nos. 39-40), and after the Court held telephone conferences with counsel and defendant, Cezar Roberts, the Court set May 12, 2023, as the deadline for the defendants to file an answer to the Complaint. ([Filing No. 41](#)). The defendants did not file any responsive pleadings by the deadline, and on May 17, 2023, Plaintiff filed a motion for clerk’s entry of default. ([Filing No. 43](#)). The Clerk of Court entered default against the defendants on the same date. ([Filing No. 45](#)). Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek a default judgment in accordance with the applicable rules, see NECivR. 55.1(b)-(c); Fed. R. Civ. P. 55(b), voluntarily dismiss this case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or this action will be dismissed. Accordingly,

IT IS ORDERED: On or before **August 31, 2023**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 7th day of August, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge